

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 5272-01  
Bill No.: SB 1034  
Subject: Cities, Towns, and Villages; Counties; Fire Protection; Construction and Building Codes; Political Subdivisions  
Type: Original  
Date: March 30, 2010

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Bill Summary: This proposal recognizes certain codes, including specific building, residential, fire, plumbing, mechanical, and electrical codes, shall be as the Missouri state construction codes to be adopted by certain political subdivisions.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
General Revenue	(\$752,277)	(\$730,854)	(\$752,783)
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>(\$752,277)</b>	<b>(\$730,854)</b>	<b>(\$752,783)</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 8 pages.

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)</b>			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
General Revenue	12	12	12
<b>Total Estimated Net Effect on FTE</b>	<b>12</b>	<b>12</b>	<b>12</b>

☒ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☒ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2011	FY 2012	FY 2013
<b>Local Government</b>	<b>(\$1,875)</b>	<b>(\$1,875)</b>	<b>(\$1,875)</b>

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## **FISCAL ANALYSIS**

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### **ASSUMPTION**

Officials from the **City of Centralia** assume there will be no fiscal impact to their city.

Officials from the **Department of Public Safety - Director's Office** assume any costs associated with this proposal could be absorbed with existing resources.

Officials from **St. Louis County** state this proposal does not directly indicate any costs; however, it contains provisions that could be interpreted or enforced in such a manner as to create costs.

Officials from the **Office of Administration - Budget and Planning** state this bill would have no fiscal effect on OA- Facilities Management, Design and Construction. All of FMDC consultants must follow all of the codes listed for construction contracts.

Officials from **Clay County** estimate the cost to be \$1,875 for the purchase of two sets of books/materials and training.

Officials from the **Office of Secretary of State (SOS)** state many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the SOS for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS also recognizes that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what the office can sustain with the core budget. Therefore, the SOS reserves the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Officials from the **Division of Fire Safety (DFS)** state this program would be an extensive expansion of their current fire safety program which is currently responsible for state-licensed and regulated facilities, along with assisted living and residential care facilities. Although some jurisdictions in Missouri currently have codes governing residential structures, most do not, and will not be able to implement this requirement due to budget issues, making enforcement of this requirement extremely difficult.

ASSUMPTION(continued)

DFS's current Inspection program has a staff of 17 Inspectors, one Deputy Chief of Inspections, two Inspector Supervisors and one clerical staff. The staff conducts approximately 13,000 inspections annually. This proposed legislation would further expand the program, requiring additional staff and funding.

It is estimated 60% of the state of Missouri is within jurisdictions having fire codes equal to the International Fire Code. In order for the Division to administer a code enforcement program in the remaining areas of the state the Division estimates an additional 43 Fire Safety Inspectors would be required. This would place Inspectors in 43 counties of the State that do not currently have fire codes either at all or in many of the jurisdictions within those counties.

To assist these Inspectors, and process the additional inspection paperwork, three additional Office Support Assistants would be required. In order to assist with the management and supervision of this additional staff, three Fire Safety Inspection Supervisors would also be needed. Associated expense and equipment funding is also requested.

DFS assumes total cost of the proposal to be \$3,173,149 for FY 2011, \$3,029,030 for 2012, and \$3,119,900 for FY 2013.

**Oversight** has, for fiscal note purposes only, assumes by adding the additional 40% of the state that currently do not have fire codes equal to the International Fire Code, DFS would need 10 additional Fire Safety Inspectors, 1 Office Support Assistant, and 1 Fire Safety Inspection Supervisor. Oversight assumes DFS would need a total of 12 FTEs for the purposes of implementing this legislation.

Oversight assumes total cost of the proposal to be \$752,277 for FY 2011, \$730,854 for 2012, and \$752,783 for FY 2013.

The following counties did not respond to **Oversight's** request for fiscal impact: **Andrew, Barry, Bates, Boone, Buchanan, Butler, Callaway, Camden, Cape Girardeau, Carroll, Cass, Cole, Cooper, DeKalb, Franklin, Greene, Hickory, Jackson, Jasper, Jefferson, Johnson, Knox, Laclede, Lafayette, Lawrence, Lincoln, Marion, Miller, Moniteau, Monroe, Montgomery, New Madrid, Nodaway, Ozark, Pemiscot, Perry, Phelps, Platte, Pulaski, Randolph, St. Charles, St. Francois, Taney, Texas, Warren, and Webster.**

The following cities did not respond to **Oversight's** request for fiscal impact: **Belton, Bernie, Bonne Terre, Boonville, California, Cape Girardeau, Clayton, Columbia, Excelsior**

ASSUMPTION(continued)

**Springs, Florissant, Frontenac, Fulton, Gladstone, Grandview, Harrisonville, Independence, Jefferson City, Kearney, Kirksville, Knob Noster, Ladue, Lake Ozark, Lebanon, Lee Summit, Liberty, Linn, Louisiana, Maryland Heights, Maryville, Mexico, Neosho, Pacific, Peculiar, Popular Bluff, Raytown, Republic, Richmond, Rolla, Sedalia, Springfield, St. Charles, St. Joseph, St. Louis, St. Robert, Sugar Creek, Sullivan, Warrensburg, Warrenton, Webb City, and West Plains.**

The following fire districts did not respond to **Oversight's** request for fiscal impact: **Boone County Fire District, Central County Fire and Rescue, Centralia Fire Department, Creve Coeur Fire District, DeSoto Rural Fire Protection District, Hawk Point Fire Protection District, Hillsboro Fire Protection, Lake Saint Louis Fire District, Mehlville Fire District, Nixa Fire Protection District, Saline Valley Fire Protection District, and Southern Iron County Fire Protection District.**

<u>FISCAL IMPACT - State Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
<b>GENERAL REVENUE FUND</b>			
<u>Costs - Department of Public Safety -</u>			
Division of Fire Safety			
Salaries	(\$352,033)	(\$435,113)	(\$448,167)
Fringe Benefits	(\$184,606)	(\$228,173)	(\$235,019)
Equipment and Expense	<u>(\$215,638)</u>	<u>(\$67,568)</u>	<u>(\$69,597)</u>
Total Costs - Department of Public Safety	(\$752,277)	(\$730,854)	(\$752,783)
Division of Fire Safety			
FTE Change - Division Fire Safety	12	12	12
<b>ESTIMATED NET EFFECT ON</b>			
<b>GENERAL REVENUE FUND</b>	<u><b>(\$752,277)</b></u>	<u><b>(\$730,854)</b></u>	<u><b>(\$752,783)</b></u>

<u>FISCAL IMPACT - Local Government</u>	FY 2011 (10 Mo.)	FY 2012	FY 2013
<b>LOCAL POLITICAL SUBDIVISIONS</b>			
<u>Costs - Clay County</u>	(\$1,375)	(\$1,375)	(\$1,375)
- Purchase 2 copies of each code book - Building, Residential, Fire, Plumbing, Electrical, Fuel, and Mechanical			
- Registration Fees (various training sessions)	<u>(\$500)</u>	<u>(\$500)</u>	<u>(\$500)</u>
<b>ESTIMATED NET EFFECT ON LOCAL POLITICAL SUBDIVISIONS</b>	<b><u>(\$1,875)</u></b>	<b><u>(\$1,875)</u></b>	<b><u>(\$1,875)</u></b>
<u>FISCAL IMPACT - Small Business</u>			

No direct fiscal impact to small businesses would be expected as a result of this proposal.

#### FISCAL DESCRIPTION

Effective September 1, 2010, certain codes, including specific building, residential, fire, plumbing, mechanical, and electrical codes, shall be recognized as the Missouri state construction codes.

Effective July 1, 2011, the governing body of each county and municipality shall adopt, by ordinance, the state construction codes and each fire protection district shall adopt the state fire code. As of such date, all jurisdictions shall have the authority to adopt the construction codes by reference.

Each jurisdiction shall remain within one code cycle of the state construction codes. These provisions shall not limit the authority of the jurisdictions to adopt a code with equivalent or higher standards or to amend, delete, or make additions to the state construction code.

The state construction codes shall be administered by the construction code manager, a designee appointed by the Governor. The manager shall review and maintain the codes. However, the state fire code shall be administered by the State Fire Marshal. The construction code manager shall have the authority to promulgate and maintain the state construction codes and is required to work with the State Fire Marshal when promulgating the state fire code.

FISCAL DESCRIPTION(continued)

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety  
- Division of Fire Safety  
Office of Administration  
-Division of Budget and Planning  
Office of Secretary of State  
Clay County  
Centralia  
St. Louis County

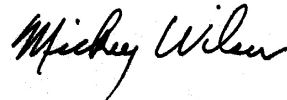
NOT RESPONDING

**Cities of: Belton, Bernie, Bonne Terre, Boonville, California, Cape Girardeau, Clayton, Columbia, Excelsior Springs, Florissant, Frontenac, Fulton, Gladstone, Grandview, Harrisonville, Independence, Jefferson City, Kearney, Kirksville, Knob Noster, Ladue, Lake Ozark, Lebanon, Lee Summit, Liberty, Linn, Louisiana, Maryland Heights, Maryville, Mexico, Neosho, Pacific, Peculiar, Popular Bluff, Raytown, Republic, Richmond, Rolla, Sedalia, Springfield, St. Charles, St. Joseph, St. Louis, St. Robert, Sugar Creek, Sullivan, Warrensburg, Warrenton, Webb City, West Plains**

**Counties of: Andrew, Barry, Bates, Boone, Buchanan, Butler, Callaway, Camden, Cape Girardeau, Carroll, Cass, Cole, Cooper, DeKalb, Franklin, Greene, Hickory, Jackson, Jasper, Jefferson, Johnson, Knox, Laclede, Lafayette, Lawrence, Lincoln, Marion, Miller, Moniteau, Monroe, Montgomery, New Madrid, Nodaway, Ozark, Pemiscot, Perry, Phelps, Platte, Pulaski, Randolph, St. Charles, St. Francois, Taney, Texas, Warren, Webster**

NOT RESPONDING(continued)

**Fire Districts of: Boone County Fire District, Central County Fire and Rescue, Centralia Fire Department, Creve Coeur Fire District, DeSoto Rural Fire Protection District, Hawk Point Fire Protection District, Hillsboro Fire Protection, Lake Saint Louis Fire District, Mehlville Fire District, Nixa Fire Protection District, Saline Valley Fire Protection District, Southern Iron County Fire Protection District**

A handwritten signature in black ink that reads "Mickey Wilson". The signature is written in a cursive, flowing style.

Mickey Wilson, CPA  
Director  
March 30, 2010